

ESTTA Tracking number: **ESTTA480958**

Filing date: **06/29/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91204826
Party	Plaintiff Boston Red Sox Baseball Club Limited Partnership, Chicago White Sox, Ltd.
Correspondence Address	MARY L KEVLIN COWAN LIEBOWITZ & LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES sis@cll.com, trademark@cll.com, mlk@cll.com, jmn@cll.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Seth Shaifer
Filer's e-mail	sis@cll.com, trademark@cll.com, jmn@cll.com
Signature	/Seth Shaifer/
Date	06/29/2012
Attachments	SOXX Motion on Consent and Initial Disclosure Waiver 062912.pdf (3 pages) (18340 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. 85/373,925
Filed: July 18, 2011
For Mark: SOXX
Published in the Official Gazette: October 25, 2011

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BOSTON RED SOX BASEBALL CLUB LIMITED :
PARTNERSHIP, and CHICAGO WHITE SOX, :
LTD., :
: Opposers, :
: :
v. : Consolidated :
: Opposition No. 91204826 :
: :
INC INTERNATIONAL COMPANY, :
Applicant. :
: :
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Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

**NOTICE OF WAIVER OF INITIAL DISCLOSURES AND
MOTION ON CONSENT TO SUSPEND PROCEEDING AND TO
EXTEND DISCOVERY PERIOD IF OPPOSITION IS RESUMED**

The parties having conducted a discovery conference on June 29, 2012, and are now pursuing settlement discussions. As both sides having stipulated to waive the requirement of initial disclosures, Opposer hereby notifies the Board, with the consent of Applicant, that the parties intend to utilize traditional discovery devices and hereby waive any requirement to make initial disclosures in this proceeding.

Opposer, by and through counsel, also hereby moves for an order suspending the above-captioned proceeding for a period of three (3) months, until **September 29, 2012**. Applicant consented to this motion, which is requested to allow the parties to engage in settlement

discussions.

In the event that the Board denies this motion, Opposer consents to an extension of time for Applicant to file an answer or otherwise respond to the Notice of Opposition until sixty (60) days after such denial.

If the Board grants this motion, the parties request that six months of discovery be allowed and that the discovery cutoff be reset to six (6) months after the proceeding resumes so that the parties will have the full period of discovery in the event that the matter is not able to be resolved. The trial and other periods should be reset accordingly.

Dated: New York, New York
June 29, 2012

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on June 29, 2012, I caused a true and correct copy of the foregoing *Waiver of Initial Disclosures and Motion to Suspend* to be sent via First Class Mail, postage prepaid, to Applicant's Correspondent of Record, Matthew H. Swyers, Esq., The Trademark Company, Suite 151, 344 Maple Avenue West, Vienna, Virginia 22180.

/Seth Shaifer /
Seth Shaifer